BILL NO. Z-87-0531

ZONING MAP ORDINANCE NO. Z-Wickman

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 (Multi-Family) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Property #1 - Part of Lot 12 in J.H. Feichter's Garden View Addition to the City of Fort Wayne, according to the plat thereof recorded in Plat Record 7, Page 3, of the Recorder of Allen County, Indiana, and more particularly described as follows: to-wit, The North 101 feet of the following described real estate; Beginning at the Southeast corner of said Lot Number 12 in J.H. Feichter's Garden View Addition to the City of Fort Wayne; thence West 80 feet; thence North 270.5 feet; thence East 80 feet; thence South 270.5 feet to the place of beginning excepting therefrom the East 18 feet thereof.

Property #2 - A part of Lots Number 11 and 12 of the J.H. Feichter's Garden View Addition to the City of Fort Wayne, according to the recorded plat thereof recorded in Plat Record 7A, page 3, in the Office of the Recorder of Allen County, described as follows: Beginning at a point 18 feet West and 959.4 feet South of the Southwest corner of the Northeast Quarter of the SW quarter of Section 32, St. Joe Township, Allen County, Indiana, thence South 66 feet, thence West 312 feet, thence North 66 feet, thence East 312 feet to the place of beginning, containing .47 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. R-14, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY

Fox River Bond
25% COTTON

Read the first time in full and on motion by Bradbury, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ___ ,M.,E.S

DATE: 5-26-87 Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	____	____	_____	_____	_____
BRADBURY	____	____	_____	_____	_____
BURNS	____	____	_____	_____	_____
EISBART	____	____	_____	_____	_____
GiaQUINTA	____	____	_____	_____	_____
HENRY	____	____	_____	_____	_____
REDD	____	____	_____	_____	_____
SCHMIDT	____	____	_____	_____	_____
STIER	____	____	_____	_____	_____
TALARICO	____	____	_____	_____	_____

DATE: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____,

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ .M.,E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ .M.,E.S.T.

WIN MOSES, JR., MAYOR

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. ____ **DIGEST SHEET**

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 1515 & 1605 Laverne Avenue 3-87-05-31

EFFECT OF PASSAGE Property is presently zoned R-1 - Single Family Residential. Property will become R-3 - Multi-Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

Division of Community Development & Planning

FACT SHEET

Z-87-05-31

BILL NUMBER

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment From R-1 to R-3		

DETAILS

Specific Location and/or Address

1515 & 1605 Laverne Avenue

Reason for Project

Potential Office Development

THIS REQUEST HAS BEEN WITHDRAWN BY THE PETITIONER

Discussion (Including relationship to other Council actions)

18 May 1987 - Public Hearing

Jerry McArdle, representing the petitioners stated that the property in question is adjacent to the Lake Avenue Professional Park. He stated if the rezoning was granted the land would be used for the expansion of the professional park. He stated that the area is surrounded by professional office uses. He stated that they intend to construct a building with a little over 6,000 sq ft and it will be 1-story.

Baron Biedenweg questioned how they would provide access to the new structure.

Mr. McArdle stated from Laverne Avenue. He stated that there is a curb cut on Lake Avenue but they presently use the one on Laverne.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Wm Murphy; Mr.&Mrs. Orville Ziegel; Mr&Mrs Greg Ziegel **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☐ For ☒ Against **Reason Against**
Board or Commission Recommendation	**By** ☐ For ☐ Against ☒ No Action Taken ☐ For with revisions to condition (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pas

DETAILS

1 June 1987 - Business Meeting

Motion was made to accept the requested withdrawal.

Of the 8 members present 7 voted in favor of the withdrawal one (1) did not vote.

Motion carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** 15 April 1987

Projected Completion or Occupancy **Date** 15 June 1987

Fact Sheet Prepared by **Date** 15 June 1987

Patricia Biancaniello

Reviewed by **Date** 6/15/87

Gary Bado

Reference or Case Number

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

ck # 349

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 1187

FT. WAYNE, IND., 4-15 19 87

RECEIVED FROM Lake Au Hope Partners $ 50.00

THE SUM OF fifty 00/100 DOLLARS

ON ACCOUNT OF 1515 + 1605 Fourne

Negotiated

AUTHORIZED SIGNATURE

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

I/We William W. Murphy and Mr. & Mrs. Orville Ziegel and Mr. & Mrs Gregg Ziegel
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an R-3 District the property described as follows:

Property # 1 : Part of lot 12 in J. H. Feichter's Garden View Addition to the City of Fort Wayne, according to the plat therof recorded in Plat Record 7, Page 3 , of the Recoder of Allen County, Indiana, and more particularly described as follows: to-wit; The North 101 feet of the following described real estate; Beginning at the Southeast corner of said Lot number 12 in J. H. Feichter's Garden View Addition to the City of Fort Wayne; thence West 80 feet; thence North 270.5 feet; thence East 80 feet; thence South 270.5 feet to the place of beginning excepting therefrom the East 18 feet thereof.

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

Property # 1 ; 1515 Laverne Avenue, Fort Wayne, Indiana

Property # 2 : 1605 Laverne Avenue, Fort Wayne, Indiana
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Orville M. Ziegel	1515 Laverne Avenue	Orville M Ziegel
Marcella M. Ziegel	1515 Laverne Avenue	Marcella M. Ziegel

(If additional space is needed, use reverse side.)

Legal Description checked by _____.
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordina being sent to the newspaper for legal publication. If the request for deferra continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whi it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the mat for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
William W. Murphy	3525 Lake Avenue 46805	422-5176

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Heari approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Property # 2 : A part of Lots number 11 and 12 of the J.H. Feichter's Garden View Addition to the City of Fort Wayne, according to the recorded plat therof recorded in Plat Record 7A, page 3, in the office of the Recorded of Allen County, described as follows: Beginning at a point 18 feet West and 959.4 feet South of the Southwest corner of the North~~west~~ EAST Quarter of the SW quarter of Section 32, St. Joe Township, Allen County, Indiana, thence South 66 feet, thence West 312 feet, thence North 66 feet, thence East 312 feet to the place of beginning, containing .47 arces more or less.

Owners of Property

(Name)	(Address)	(Signature)
Gregg Ziegel	1605 Laverne Avenue	Gregg Ziegel
Teresa Ziegel	1605 Laverne Avenue	Teresa Ziegel

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-31: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

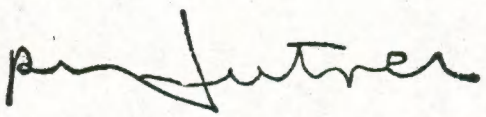
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this
15th day of June 1987.



Robert Hutner
Secretary

BILL NO. Z-87-05-31

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of Fort Wayne Zoning Map No. R-14

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~ Withdrawn

YES		NO
Janet G. Bradbury	JANET G. BRADBURY CHAIRPERSON	
Charles B. Redd	CHARLES B. REDD VICE CHAIRMAN	
Thomas C. Henry	THOMAS C. HENRY	
	PAUL M. BURNS	
Ben A. Eisbart	BEN A. EISBART	

CONCURRED IN 7-14-87

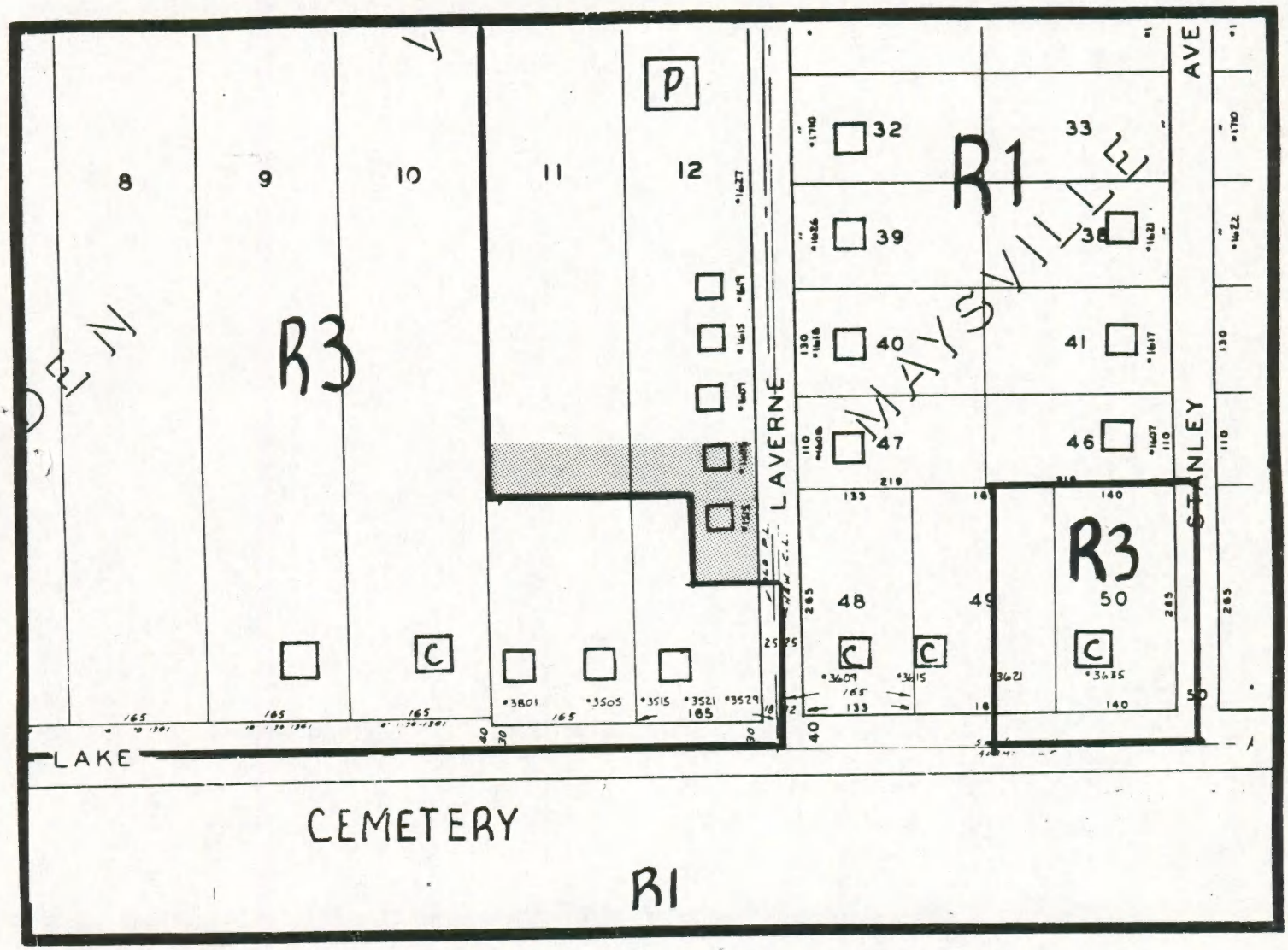
SANDRA E. KENNEDY
CITY CLERK

REZONING PETITION #271

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO AN R-3 DISTRICT.

MAP NO. R-14

COUNCILMANIC DISTRICT NO. 2



ZONING:

R1 RESIDENTIAL DISTRICT

R3 RESIDENTIAL DISTRICT

LAND USE:

- ☐ SINGLE FAMILY
- [C] COMMERCIAL
- [P] PUBLIC-SCHOOL

N

SCALE: 1" = 200'

DATE: 4-27-87